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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,435	11/03/2000	Ronald Schauer	4448/IBSS/DV	6410

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APPLIED MATERIALS, INC.
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EXAMINER

MORRISON, NASCHICA SANDERS

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 08/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,435

Applicant(s)

SCHAUER ET AL.

Examiner

Naschica S Morrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 20-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 10 June 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

This is the second Office Action for serial number 09/706,435, Installation docking pedestal for pre-facilitation of wafer fabrication equipment, filed on November 3, 2000. Claims 1-13 and 20-22 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5, 7-11, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) of Fig. 2 in view of Admitted Prior Art (APA) of Fig. 1, and further in view of U.S. Patent 4,243,197 to Wright. With regards to claims 1-4, 7, 10, 11, and 20-22 (considering the subcombination of the support apparatus/frame only), APA of Fig. 2 discloses a support apparatus comprising: a plurality of support legs (131) extending down to a base mount location disposed at an interstice (at 133) of a waffle-grid floor (125) and a monolithic frame (135) disposed on the plurality of support legs, the frame including a flange (located between 135 and 139) about the periphery thereof for supporting raised flooring (139) and facilities connection locators (137) providing pluralities of connection points for site facilities. APA of Fig. 2 does not disclose the support legs aligned to each one of a plurality of load-bearing mounting feet of equipment or the frame having an outline substantially duplicating the

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bottom outline of the equipment. APA of Fig. 1 discloses a support apparatus comprising a plurality of support legs (121) extending down to a base mount location pad (123) on a waffle-grid flooring (125) and aligned to each one of a plurality of load-bearing mounting feet of a manufacturing equipment (111). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the APA of Fig. 2 by aligning the support legs with the load-bearing mounting feet because one would have been motivated to provide direct support for the load bearing feet in order to provide a more stable support apparatus. APA of Fig. 2 in view of APA of Fig. 1 discloses the support apparatus as applied above, but does not disclose the frame having an outline substantially duplicating the outline of the equipment. Wright discloses a support apparatus comprising: a plurality of support legs (38) including at least one support leg aligned to each one of a plurality of load-bearing mounting feet (F) of a machine (CW) and a frame (12) disposed on the plurality of support legs and having a frame outline substantially duplicating the bottom outline of the machine (CW). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have contoured the frame outline to be a substantial duplicate of the equipment bottom outline because one would have been motivated to reduce the amount of material necessary to manufacture the frame as well as reduce the amount of floor space occupied by the frame and equipment mounted thereon as inherently taught by Wright.

Regarding claim 5, APA of Figs. 1 and 2 does not disclose the frame being a molded steel frame; however, it would have been obvious to one of ordinary skill in the

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art at the time the invention was made to have formed the frame from iron, steel, or various other metals since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

Regarding claims 8 and 9, APA of Fig. 2 disclose flanges on the periphery of the frame for supporting raised flooring but does not disclose the frame including flanges along the inner edges thereof. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed flanges on the inner edges of the frame because one would have been motivated to provide a structural means for supporting raised flooring as inherently taught by APA of Fig. 2.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over APA of Fig. 2 in view of APA of Fig. 1 in view of Wright, and further in view of U.S. Patent 5,107,775 to Langlais et al. (Langlais). With regards to claim 6, APA of Fig. 2 in view of APA of Fig. 1 in view of Wright discloses the support apparatus as applied above, but does not disclose the support legs having an adjustable length. Langlais discloses a support apparatus (10) comprising a plurality of support legs (12,14) having an adjustable length. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support legs to be adjustable in length because one would have been motivated to provide a means for raising the platform as taught by Langlais (Abstract, lines 1-2).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over APA of Fig. 2 in view of APA of Fig. 1 in view of Wright, and further in view of U.S. Patent

4,480,656 to Johnson. With regards to claim 12, APA of Fig. 2 in view of APA of Fig. 1 in view of Wright discloses the support apparatus as applied above, but does not disclose gooseneck couplings attached to the connection points. Johnson discloses a gooseneck coupling (34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided gooseneck couplings at the facilities connection points because one would have been motivated to provide a means for connecting the supply lines to the equipment as inherently taught by Johnson.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over APA of Fig. 2 in view of APA of Fig. 1 in view of Wright, and further in view of U.S. Patent 2,197,598 to Way. With regards to claim 13, APA of Fig. 2 in view of APA of Fig. 1 in view of Wright discloses the support apparatus as applied above, but does not disclose the frame including a plurality of seismic braces. Way discloses a support apparatus (Fig. 1) comprising a platform (10) having a plurality of braces (15,16) affixed to support legs (27) and adapted to fix to an object supported thereon. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the support apparatus by including braces because one would have been motivated to provide a device for securing and preventing shifting of objects mounted on the support frame as taught by Way.

Response to Arguments

Applicant's arguments with respect to claims 1 and 20 (rejected in view of Wright '197) have been considered but are moot in view of the new grounds of rejection.

Applicant's arguments filed 6/10/02 have been fully considered but they are not persuasive. Regarding applicant's argument that the support apparatus of Figure 2 "is not intended to be modified" to match varying types of semiconductor processing equipment having various configurations of mounting feet", examiner respectfully disagrees. The modification of the APA of Figure 2 in view of the APA of Figure 1 as applied in the rejections above is further supported by lines 21-23 on page 2 of the instant specification which recites "additional customized support legs may also be required when installing equipment on the pedestal".

In response to applicant's argument that Wright "has nothing to do with installations of semiconductor processing equipment" (i.e. nonanalogous art), it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably *pertinent to the particular problem with which the applicant was concerned*, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Wright discloses a support frame that is customized to fit the bottom outline of an apparatus that is located thereon and further includes support legs.

In response to applicant's argument that Langlais et al. "has nothing to do with support apparatus for semiconductor processing equipment" (i.e. nonanalogous art), it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be *reasonably pertinent to the particular problem with which the applicant was concerned*, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir.

1992). In this case, Langlais et al. teaches a means for adjusting the height of a support leg.


In response to applicant's argument that Johnson "has nothing to do with plumbing connections for semiconductor processing equipment" (i.e. nonanalogous art), it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably *pertinent to the particular problem with which the applicant was concerned*, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Johnson discloses a means for connecting a supply line to a piece of equipment.


Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: US 2002/0084402 to Schauer discloses a mounting apparatus.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Naschica S. Morrison, whose telephone number is (703) 305-0228. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine telephone number for the Technology Center is (703) 872-9326 (formal amendments) or (703) 872-9327 (After Final amendments).

Any inquiry of a general nature or relating to the status of this Application should be directed to the Technology Center receptionist at (703) 872-9325.


Naschica S. Morrison
Patent Examiner-Art Unit 3632
8/19/02


ANITA KING
PRIMARY EXAMINER